

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

17-cr-601 (LAK)

ALEJANDRO LEON,

Defendant.
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ORDER

LEWIS A. KAPLAN, *District Judge*.

Before the Court is defendant's motion for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2).

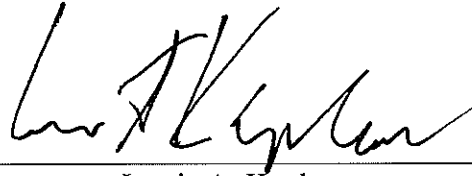
On June 14, 2023, the defendant was sentenced principally to a term of imprisonment of 48 months. On December 19, 2023, defendant moved for a reduction of sentence. On April 23, 2024, the Probation Office completed a Supplemental Presentence Report indicating that the defendant is eligible for the zero-point offender recalculation under the terms of Amendment 821, but is precluded from a sentence reduction because the original sentence was below the amended guideline range.

The Court has considered the record in this case and the submissions of the parties and the Probation Office. The Court finds that the defendant is ineligible for a sentence reduction under Amendment 821 to the Sentencing Guidelines. While the defendant has met all of the criteria for the zero-point offender recalculation, the defendant's original sentence (48 months) was below the low end of the amended guideline range, thus making him ineligible.

Accordingly, it is hereby ORDERED that the defendant's motion for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2) is denied.

SO ORDERED.

Dated: April 25, 2024

A handwritten signature in black ink, appearing to read 'Lewis A. Kaplan', is written over a horizontal line.

Lewis A. Kaplan
United States District Judge